

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE**

BOBBY COCHRAN,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 3:10-CV-753
)	
JP MORGAN CHASE, N.A.,)	
)	
Defendant.)	

**DEFENDANT JP MORGAN CHASE, N.A.’S MOTION TO DISMISS OR, IN THE
ALTERNATIVE, FOR A MORE DEFINITE STATEMENT**

Pursuant to Rules 12(b)(6) and 12(e) of the Federal Rules of Civil Procedure, Defendant JP Morgan Chase, N.A. (“Defendant” or “Chase”) moves to dismiss Plaintiff’s alleged causes of action for failure to state a claim for which relief may be granted, or, in the alternative, for a more definite statement. As grounds for its Motion, Defendant Chase avers that the alleged causes of action, if any, asserted in Plaintiff’s “Original Petition” or Complaint are vague, imprecise, and give no reasonable notice of Plaintiff’s claims against Chase. Furthermore, the allegations in the Complaint are conclusory in nature and wholly unsupported by any material facts. The Complaint does not contain a short and plain statement of any claim for relief specifically against Chase, nor is any alleged fraud pled with particularity as required by the Rules of Civil Procedure.

In the alternative, should this Honorable Court not dismiss the Complaint pursuant to Rule 12(b)(6), Defendant Chase seeks relief under Rule 12(e) for a more definite statement of the allegations. Plaintiff’s claims against this Defendant, if any, are difficult, if not impossible, to ascertain or understand. As a result, Defendant Chase is without notice of what causes of actions

are being asserted against it and, therefore, unable to file a meaningful response or assert available defenses.

WHEREFORE, Defendant Chase respectfully requests that this Court enter an Order dismissing Plaintiff's Original Petition for failure to state a claim for which relief can be granted pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. In the alternative, Defendant would ask this Court to enter an order requiring Plaintiff to provide a more definite statement pursuant to Rule 12(e) of the Federal Rules of Civil Procedure. In support of this Motion, Defendant relies upon the contemporaneously filed Memorandum of Law.

Respectfully submitted,

/s/ James C. Bradshaw III
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Counsel for Defendant JP Morgan Chase, N.A.

CERTIFICATE OF SERVICE

I hereby certify that on February 8, 2011, a copy of the foregoing Notice was filed in the above-captioned action. A copy of this Notice will be sent by operation of the Court's electronic filing system to Bobby Cochran, 7176 Chester Road, Fairview, Tennessee 37062.

/s/ James C. Bradshaw III

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